GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Transport Department – Allegation on change the address and change the husband's name of Smt N.Smitha in her Driving licence by (1) Sri Ch.Rambabu, MVI(Retd) (2) Sri P.Krishna Rao, A.O.(Retd) and (3) Sri V.A.Krishna Mohan, Senior Assistant, O/o the DTC, Visakhapatnam on 30.11.2010. – Disciplinary Proceedings initiated – Written Statement of defences submitted – Further action dropped – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (Vig.Tr) DEPARTMENT

G.O.RT.No. 267 Dated: 14-08-2020

Read the following:

1. Complaint filed by Sri Y.Devendra Prasad, Vijayawada before the Hon'ble Lokayukta on 20.04.2011.
2. Final orders of the Hon'ble Upa –Lokayukta in the Complaint No.922/2011/B2, orders dt.20.04.2013.
3. G.O.Ms.No.60, T R&B(Vig.III.2) Department, dt.22.06.2013.
4. G.O.Rt.No.614, T R&B(Vig.III.2) Department, dt.22.06.2013.
5. Written Statement of Defence submitted by Sri Ch. Rambabu, MVI(Retd) O/o the DTC & S/RTA, Visakhapatnam, dt.31.08.2013.
6. Memo No.5071/Vig.III/2/2013-5, T R&B Department, dt.18.02.2014.
7. G.O.Rt.No.848, T R&B(Vig.TR.1) Department, dt.19.12.2014.
8. G.O.Rt.No.849, T R&B(Vig.TR.1) Department, dt.19.12.2014.
9. Written Statement of Defences submitted by Sri P.Krishna Rao, A.O.(Retd), Visakhapatnam, dt.07.02.2015 and Sri V.A. Krishna Mohan, the then Senior Assistant, O/o Dy. Transport Commissioner, Visakhapatnam, dt.07.02.2015.
10. Memo No.5071/Vig.III/2/2013-5, T R&B Department, dt.09.06.2015.
11. From the T.C., A.P., Vijayawada, Lr.No.9473/V4/V1/2011, dt.30.01.2020.

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ORDER:

In the 1st read above, a complaint was filed by Sri Y.Devendra Prasad, Vijayawada before the Hon'ble Lokayukta alleging that the staff of O/o the Deputy Transport Commissioner, Visakhapatnam had changed the husband name of his daughter Smt N.Smita in the Driving Licence. After examining the complaint petition, in the 2nd read above, the Hon'ble upa-Lokayukta by its final orders has observed that there is an omission on the part of the public servant to discharge his lawful duties and it also comes under omission which attracts section 2 (a) of A.P. Lokayukta Act, 1983 as omitted to do lawful duties directed the Government to take action against the public servant after due enquiry.

2. In pursuance of the orders of the Hon'ble Upa-Lokayukta, Government initiated disciplinary action against Sri Ch.Rambabu, MV1 (Retd) who is acted as incharge of the post of RTO, O/o the DTC, Visakhapatnam at the relevant point of time and charges framed against him in the GOs 3rd and 4th read above. Sri Ch.Rambabu, MV1 (Retd) has submitted his Written Statement of Defence vide in the 5th read above.

3. After examining the Written Statement of Defence received from the C.O. Sri Ch.Rambabu, MV1 (Retd), Government have initiated departmental proceedings against ministerial staff who are responsible / processed and issued the revised Driving Licence i.e., 1) Sri P. Krishna Rao, A.O. (Retd); and 2) Sri V.A.Krishna Mohan, Sr. Assistant in the Govt. Memo 6th read above. Accordingly charges were framed against the above two charged officers by the Government and called for their written statement of defence in the G.O.s 7th & 8th read above. The charged officers have submitted written statement of defence in the 9th read above. Government have requested the Transport Commissioner, A.P. to furnish the remarks on the written statements of defense of the above two charged officers in the Govt. Memo. 10th read above.

4. The Transport Commissioner, A.P., Vijayawada in his letter 11th read above, has furnished his remarks on the explanations of Sri P.Krishna Rao, A.O. (Retd) and Sri V.A.Krishna Mohan, Senior Assistant as below:

i. As per Circular Memo. No. 29/11260/R1/2006, dated: 03.11.2006 issued by the Transport Commissioner, there is no need in the procedure of taking the images of the applicants live and scan the signature live on a signature pad at the time of Change of address in the Driving Licence. Hence, in this case also presence of applicant and verification of signature are not required for change of surname of applicant and husband's name. Hence there is no violation of procedure in this case.

(PTO)

ii. As per Rule 6 (A) of A.P. M.V.Rules, 1989, every application for issue of D.L., or Renewal of D.L., or issue of Duplicate D.L. or change of address in D.L. shall have one or more documents in original or attested by Gazetted Officer. In this case, as per report of DTC, Visakhapatnam dated:29.07.2011, original D.L and Original Notarized Affidavit along with other documents were enclosed to the application as required under Rule 6.A of A.P. M.V.Rules, 1989. Hence there is no violation of procedure in this case.

iii. As contended by the Charged Officers, the basic original documents required for change address were produced. Hence, the bonafides of the applicant could not be doubted by the case worker and no further motives can be attributed to the case worker in the absence of any evidence to the contrary. Hence the transaction was conducted in good faith on surrender of original document of DL.

iv. As per the report of the DTC, Visakhapatnam dated: 29.07.2011, as per the procedure prevailed in the Department, the application of Smt. N.Smitha was processed in their office and issued D.L.No.DLPAP03166832010, since the photograph and signature of the applicant were already captured at the time of issuing the fresh Driving Licence on 28.12.2007 and that as per M.V.Act and Rules, the presence of applicant need not be insisted for change of surname of applicant and husband's name. Hence there is no violation of procedure in this case.

5. The Transport Commissioner, A.P., Vijayawada has further stated that, Sri P.Krishna Rao, Administrative Officer is retired from service; the Government alone has to take action against the retired employees under Rule 9 (2) of the A.P. Revised Pension Rules, 1980. This is a case relating to 2011, over 9 years back and as there is no evidence to doubt the intentions of the case worker or the official who had approved the transaction only in good faith, the complication being at the family level of the applicant which is nothing related to the officials who had concluded the transaction and requested to drop further action particularly in view of the fact that two of the officials are already retired and are still waiting for their retirement benefits.

6. After careful examination of the remarks of the Transport Commissioner, A.P., Vijayawada and written statement of defence submitted by Sri Ch. Rambabu, MVI (Retd.) and entire matter, Government have decided to drop further action against (1) Sri Ch. Rambabu, MVI (Retd.) (2) Sri P.Krishna Rao, A.O. (Retd); and (3) Sri V.A.Krishna Mohan, the then Senior Assistant O/o the DTC, Visakhapatnam. Accordingly, Government hereby drop further action against (1) Sri Ch. Rambabu, MVI (Retd.) (2) Sri P.Krishna Rao, A.O. (Retd); and (3) Sri V.A.Krishna Mohan, the then Senior Assistant O/o the DTC, Visakhapatnam.

7. The Transport Commissioner, A.P., Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.T.KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individuals concerned **through** the Transport Commissioner, A.P., Vijayawada.
The Transport Commissioner, A.P., Vijayawada.
Copy to:
The Secretary to Vigilance Commissioner, A.P.Vigilance Commission,
A.P.Secretariat, Velagapudi.
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER